

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas
FILED

OCT 4 - 2018

David J. Bradley, Clerk of Court

United States of America

v.
Desimond

Eric Desmond Thomas

Amended per BJE on 10/5/18

Case No. 2:18mj4302

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 19-28, 2018 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

Title 18, Section 115(a)(1)(B)

Influencing, impeding, or retaliating against a Federal official by threatening
or injuring a family member

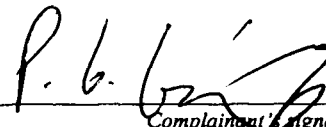
Title 18, Section 875(c)

Interstate Communication

This criminal complaint is based on these facts:

See attached Affidavit

☒ Continued on the attached sheet.



Complainant's signature

P.G. Gonzalez, FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/04/2018



Judge's signature

City and state: Corpus Christi, Texas

U.S. Magistrate Judge, B. Janice Ellington

Printed name and title

AFFIDAVIT

I, P. G. Gonzalez, Special Agent, Federal Bureau of Investigation (FBI), Corpus Christi, Texas, being duly sworn, declare that the following is true and correct to the best of my knowledge based upon reports of interviews and a review of multiple recorded phone calls, e-mails and other documents:

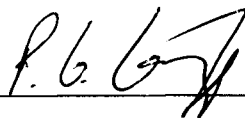
1. I have been employed as a Special Agent for over 19 years and as such, have been involved in investigations concerning multiple violations of federal statutes including violations involving health care fraud, wire fraud, mail fraud, public corruption and other matters. I am familiar with the Statute involving threats and know that it is a violation of Title 18, USC 115 (a)(1)(B) threats to assault, kidnap, or murder, a United States official, a United States judge, a Federal Law Enforcement Officer, or an official whose killing would be a crime under such section; and 18 USC, 875, (c) for any person to transmit in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another.
2. This Affidavit is made in support of an Arrest Warrant for Eric Desmond Thomas, currently located in Houston, Texas,. Based on the information contained in this Affidavit, it is my belief that there is probable cause to believe that Eric Desmond Thomas is in violation of Title 18, United States Code 115 (a)(1)(B), Influencing, Impeding, or Retaliating against a Federal official by threatening or injuring a family member, and Title 18, United States Code 875, (c) Interstate Communications.
3. Since this Affidavit is being submitted for the limited purpose of securing an Arrest Warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that Thomas has committed the above violation.
4. Your Affiant has gathered investigative data from FBI Special Agent Christopher Petrowski and United States Marshals Deputies (DUSM) Isaac Karam and Regino Quintero.
5. On October 2, 2018, your Affiant was contacted by the United States Attorney's Office (USAO) in Corpus Christi, Texas, and advised that new information had been received from the USMS in Houston, Texas, pertaining to Thomas, formerly a subject of an FBI Corpus Christi investigation. Thomas had been investigated at the time for sending threatening and harassing e-mails to a United States District Court Judge (USDJ). Corpus Christi FBI was involved due to Thomas being incarcerated at the time at Three Rivers Bureau of Prisons.
6. For background purposes, Thomas had been convicted on a federal drug charge in 1996, and was sentenced to life in prison. Thomas received an Executive Grant of Clemency from then President Barack Obama and was released on April 16, 2016.

7. In the summer of 2017, Thomas made multiple telephone calls to a third party and left numerous voice messages, some of which made vague threats against the USDJ and Thomas' probation officer. Most of the voicemails made available to your Affiant were nonsensical in nature, but some made threats to "getting retribution in this...I can see you in the prison, in the hospital, or in a casket (directed at the USDJ)."
8. On July 31, 2017, Thomas was arrested by the Harris County Sheriff's Office for assaulting his mother, resulting in a violation of his Supervised Release Term (SRT). On October 12, 2017, Thomas appeared before the USDJ, who sentenced him to one year in BOP custody and terminated the remainder of his SRT.
9. During the period January 6-9, 2018, Thomas used the BOP computer system to send 22 e-mails to the USDJ. A number of the e-mails complained about his original conviction and his belief that the USDJ was "unfit to sit on any bench" and had violated his constitutional rights. Thomas sometimes referred to himself as "the EYE" or the "truth of the unknown," and stated that "the next thing I do to get your attention will have a profound effect on you and those who work around you." Other e-mails claimed "I will have my retribution, (USDJ). I am your cancer" and "... maybe you should fact check this while I drag (USDJ) over hot coals for her involvement in this ongoing crime against humanity."
10. Thomas also mailed a number of letters to the USDJ which contained many of the references in his e-mails, as well as an "Order-Mandate-Directive" to the court in which he alleged the USDJ's court was "actively participating in a crime, as well as the cover up of crimes against humanity."
11. On October 2, 2018, the USMS in Houston reported that they, along with Houston FBI, had been investigating Thomas since mid-August 2018. Thomas had been released from Three Rivers and transferred to a detention center in Houston, Texas, prior to his scheduled release on October 9, 2018.
12. The USMS reported that on August 14, 2018, they interviewed Thomas while he was at Three Rivers. Thomas had discussed his anger at wasting his time in jail for a crime he did not commit, and was specifically angry with the USDJ. Thomas told the USMS he wanted the USDJ to pay for what she did but had no intention of causing harm to her. Thomas also stated his court-appointed attorney also met with him and advised him to stop sending threatening e-mails and letters, and this made Thomas very upset as he believed the USDJ was behind this warning.
13. On August 19, 2018, Thomas called the USDJ's chambers and left multiple voicemails for her. One voicemail, approximately three minutes in length, stated "do you really think I would go through all of this to prove your guilt, if I planned on doing something to hurt you physically?" That voicemail also includes another portion during which Thomas states "You can rest assured that I plan on (or no) bodily harm to you. I'm trying to get all of you, all at the same time." Due to Thomas dropping the pitch of his voice, it is difficult to ascertain whether he stated he planned "on bodily harm" or planned "no bodily harm," however, Thomas also claims he hopes the USDJ has a good night's sleep

"cause I haven't slept in years...I want you to understand how you tormented my damn life for 22 goddamn years."

14. On 09/26/2018, Thomas mailed a letter to the USDJ which read, in part, "...Through you I am going to make the world feel the pain you have sent (sic) me through." Thomas also states "... I have been turning over your discovery for the better part of a year now in a crime you are already guilty of..."
15. On 09/28/2018, the USMS and FBI interviewed a witness who stated Thomas lived with him/her after he was granted clemency, but was no longer welcome at his/her home due to his strange behavior and the fact he assaulted him/her in July 2017. The witness stated Thomas was "fixated" on the USDJ and spoke of threatening the USDJ, although the threats were non-specific.
16. On 09/28/2018, the USMS and FBI interviewed another witness. That witness stated he/she initially looked forward to spending time with Thomas after his release from prison, however, Thomas began acting strangely shortly after his release. The witness indicated he/she believed Thomas had used some type of illegal drug and expressed he/she was terrified of him and his behavior. The witness also stated that during his/her conversations with him, Thomas was constantly threatening the USDJ who presided over his case. The witness stated Thomas told him/her "I'm threatening the judge," "The judge is scared of me," and "I'm a man of power." The witness stated Thomas is not safe to be around and he is not welcome at his/her residence.

Based on all of the foregoing information, I respectfully submit that there is probable cause to believe that Eric Desmond Thomas has committed a violation of Title 18, United States Code 115 (a)(1)(B), Influencing, Impeding, or Retaliating against a Federal official by threatening or injuring a family member, and Title 18, United States Code 875, (c) Interstate Communications.



P. G. Gonzalez

Special Agent

Federal Bureau of Investigation

Sworn before me and subscribed in my presence this 4th day of October, 2018, and I find probable cause.

A handwritten signature in black ink, appearing to read "B. Janice Ellington", is written over a horizontal line.

B. Janice Ellington,

United States Magistrate Judge

Southern District of Texas